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*3-25-03*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Daniel M. Makowiecki, et al	Docket No. :	IL-10939
Serial No. :	10/032,758	Art Unit :	3641
Filed :	October 19, 2001	Examiner	E. Miller
For :	Limited-Life Cartridge Primers		

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the *attached* correspondence comprising:

1. Response to Restriction and Election of Species Requirements (3 pages)
2. Petition and Fee for Extension of Time (in duplicate)
3. Power of Attorney By Assignee of Entire Interest (2 pages)
4. Return Postcard

is being deposited with the United States Postal Service as express mail in an envelope addressed to:

Commissioner for Patents  
Washington, D.C. 20231

on 2-26-03



April Masluk

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*April Masluk*

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RESPONSE TO RESTRICTION AND  
ELECTION OF SPECIES REQUIREMENTS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed January 13, 2003, kindly consider the following:



### Restriction Requirement

A restriction requirement between six (6) groups of claims has been set forth, the claim groups being identified as Groups I-VI. Applicants elect with traverse Group III (Claims 17-29, 54-63, and 64-67) drawn to a method of making. Applicants traverse the restriction in that the "cartridge primer" in Group I (Claims 1-10 & 53) is the same component as the "cartridge primer" in Group II (Claims 11-16), and the "primary initiator" in Group IV (claims 30-46), and the "primary initiator charge" of Group V (Claims 47-52) as well as being the same components as the "cartridge primer" of Group VI (Claims 68-80). Thus, a search for the invention of any of the claims in Groups II, IV, V, and VI would require a search for the invention of Group I, be it called a "cartridge primer", or a "primary initiator", they are one and the same, with the inventive feature being the "limited-life" thereof.

Accordingly, reconsideration of restriction between Groups I, II, IV, V, and VI is requested, and it is submitted that the restriction be more properly made between the device (Groups I, II, and IV-VI be it called a primer or an initiator, and the method of making (Group III).

### Election of Species

The Examiner sets forth a requirement for an election of species identified as A, B and C, and states that Applicant is required "to elect, regardless of which Group is elected." This is an interesting requirement since, for example, the Groups II and V claims do not include any claims covering species B or C, and the Group VI claims do not include any claims to the species C. However, to satisfy the Examiner's requirement, though deemed improper as presented, applicants elect species "A" covering the multilayers, with elected claims 19, 20, 25-29, 54-60 being specific to that species, and with Claims 17, 18, 61-64, and 67 being generic. Note

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that Claims 61-64 and 67 do not set forth a species "with multilayers on a foil base" as set forth as species "C", since the "foil" need not be "tin".

Accordingly, examination on their merits should be accorded Claims 17-20, 25-29, 54-60, 61-64, and 67, and such is requested.

Conclusion

Reconsideration of the restriction requirement is deemed proper, and examination of elected Claims 17-20, 25-29, 54-60, 61-64, and 67 is in order.

Respectfully submitted,

Dated: 2-26-03



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Enclosure:

Petition and Fee for Extension of Time

Power of Attorney by Assignee of Entire Interest